

REMARKS

Claims 1-54 were pending in the current application at the time of the instant Office action. But only claims 1-53 appear to have been examined.

By this paper, claims 52 and 53 are cancelled without prejudice or disclaimer to the subject matter recited therein. Claims 55 and 56 are added.

Claims 1-51 and 56 will be pending in the application upon entry of this Amendment A.

Notably, the Office action does not address claim 54 (e.g., reject, indicate allowability, etc.), which was added by Applicant's February 24, 2006 Preliminary Amendment. Accordingly, Applicant presumes that claim 54 includes allowable subject matter, and requests the Examiner to indicate the same in the next Office action. Should the Examiner reject claim 54, then Applicant respectfully requests the Examiner to particularly point out the parts of the cited patent documents (e.g., by reference number and/or by pinpoint citation to column number and line number, etc.) upon which the Examiner relies in rejecting the particular features recited in claim 54 in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claim 54. Presently, Applicant does not have any information as to the status of claim 54. This notwithstanding, Applicant believes that claim 54 is allowable as none of the cited patents disclose, teach, or suggest each and every feature recited in claim 54 (in combination with the other features recited in the base claim and intervening claims from which claim 54 depends).

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

I. REJECTION UNDER 35 U.S.C. § 112

Claims 33 and 40 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant directs the Examiner's attention to a Preliminary Amendment filed with the instant application, on February 24, 2006. Claims 33 and 40 were amended therein

to provide antecedent basis for a portable terminal recited in claim 33 and a portable terminal recited in claim 40, as shown in the claims above. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the §112 rejection of claims 33 and 40.

II. REJECTION UNDER 35 U.S.C. § 102

Claims 1-39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *Lee* et al. (U.S. Pat. No. 6,822,871). This rejection is respectfully traversed for at least the following reasons.

A. *Independent Claim 1*

Independent claim 1 is amended herein. As amended, claim 1 recites (in part) a sliding opening and closing device including a main plate, a slide plate, which is linked to said main plate to be slidable relative to the main plate, **an elastic part** which is supported by said main plate and generates an elasticity power in one direction, and **a power transformation member** having two end portions. One end portion of the power transformation member is **coupled to the elastic part.** The other end portion of the power transformation member is **pivotally coupled to the slide plate.** Each and every one of these features is not disclosed by *Lee*, and accordingly *Lee* cannot anticipate claim 1 (or the dependent claims therefrom).

In contrast, *Lee* teaches a portable wireless terminal 100 with a main body 101 and a sub body 102 enabled to slide on the main body 10, and a spring module 150 connects the main body 101 and the sub body 102. (*Lee*, column 3, lines 18-22). The spring module 150 includes a front cover 153, a rear cover 151, and torsion springs 155. (*Lee*, column 3, lines 53-54). When the main body 101 and the sub body 102 are slid relative to one another, as shown between Figs. 4-5, the torsion springs 155 rotate. The torsion springs 155 connect to sliding guides 127 and the front cover 153. The sliding guides 127 are **fixed** to a rear surface of the sub body 102, the spring module 150 (via rear cover 151) is **fixed** to the main body 101, and the rear cover 151 is **fixed** to the front cover 153. Thus, the front cover 153, rear cover 151 and sliding guides 127 fail to teach a power transformation member pivotally coupled to a slide plate, as generally recited in claim 1. Further, **each torsion spring 155 is connected between the**

front cover 153 and one of the sliding guides 127. Neither the front cover 153 nor the sliding guides 127 are disclosed as being elastic parts. Therefore, *Lee*'s torsion springs 155 fails to disclose or even remotely suggest a power transformation member having one end portion coupled to an elastic part, as generally recited in claim 1. Accordingly, *Lee* does not disclose a power transformation member with one end portion **coupled to the elastic part** and the other end portion **pivotaly coupled** to the slide plate. Indeed, *Lee* fails to disclose both an elastic part (e.g., spring) and a power transformation member, as recited in claim 1. Thus, *Lee* fails to anticipate independent claim 1.

For at least the foregoing reasons, claim 1 is submitted as patentable over *Lee*. Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim. Pending claims 2-13 and 23-32 depend from claim 1 and, accordingly, are submitted as patentable for at least the same reasons as set forth above in connection with claim 1. In addition, dependent claims 2-13 and 23-32 are believed to be further patentably distinguishable because the cited references do not disclose or make obvious the additional features required by them (in combination with the other features recited in independent claim 1 from which they depend).

In addition, Applicant notes that many of claims 2-13 and 23-32 were rejected with only a general recitation to *Lee* Fig. 1 and an entire column (i.e., column 4 lines 1-64) of the detailed description of *Lee*, without any specific reference to any of the parts illustrated in Fig. 1. Should the Examiner not allow independent claim 1 (and dependent claims 2-13 and 23-32 therefrom), then Applicant respectfully requests the Examiner to more particularly point out the parts of *Lee*'s portable wireless terminal 100 (e.g., by reference number or more specific column and line number), upon which the Examiner relies in rejecting the particular features recited in claims 2-13 and 23-32 in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claims 2-13 and 23-32.

B. Independent Claim 14

Claim 14 has been amended into independent form. As amended, independent claim 14 recites (in part) a sliding opening and closing device including, among other

things, a main plate, a slide plate, an elastic part, and a power transformation member for receiving the elastic power of the elastic part. The power transformation member includes **a first block** defining a pivot hole, which is connected to be rotated around a rotation pivot projecting from the slide plate, at least one shaft part fixed to said first block, and **a second block defining a penetrating hole and a pivot hole**, to which is rotatably coupled a boss formed on the main plate. **The shaft part is slidably engaged in the penetrating hole.**

As explained above, *Lee* teaches a portable wireless terminal 100 including a main body 101, a sub body 102, slider guides 127, and a spring module 150 having a front cover 153, a rear cover 151, and torsion springs 155. In rejecting claim 1 (from which claim 14 previously depended), the Office action (at page 3) states “the torsion spring is the power transformation member.” In *Lee*, however, the **torsion springs 155 appears to pivot from a connection to the front cover 153 and the sliding guides 127.** Neither of the torsion springs 155 defines a penetrating hole, which slidably engages a shaft part. Accordingly, the torsion springs 155 of *Lee* fails to disclose a second block or a shaft part such that the shaft part is slidably engaged in a penetrating hole defined in the second block. Thus, *Lee* fails to anticipate independent claim 14.

Also, in rejecting claim 14 (and dependent claims 15-17 therefrom), the Office action generally refers to *Lee* Fig. 1 and an entire column of the detailed description of *Lee*, without any specific reference to any of the parts illustrated in Fig. 1. Should the Examiner not allow claim 14 (or dependent claims 15-17), then Applicant respectfully requests the Examiner to more particularly point out the parts of *Lee*’s portable wireless terminal 100 (*e.g.*, by reference number or more specific column and line number), upon which the Examiner relies in rejecting the particular features recited in claim 14-17 (*e.g.*, the first block, the second block, the shaft part, etc.) in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claims 14-17.

For at least the foregoing reasons, claim 14 is submitted as patentable over *Lee et al.* Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim. Pending dependent claims 15-17 depend from claim 14 and, accordingly, are submitted as patentable for at least the same reasons as set forth above in connection

with claim 14. In addition, dependent claims 15-17 are believed to be further patentably distinguishable because the cited references do not disclose or make obvious the additional features required by them (in combination with the other features recited in independent claim 14 from which they depend).

C. Independent Claim 18

Claim 18 has been amended into independent form. As amended, independent claim 18 recites (in part) a sliding opening and closing device including, among other things, a main plate, a slide plate, an elastic part, and a power transformation member for receiving an elasticity power of the elastic part. The power transformation member includes **a first block** which is linked to be rotatable to a first spot of said main plate, **a second block** which is linked to be rotatable to a second spot of said slide plate which has a different moving path from said first spot, and **a bar member which connects the first block with the second block**. The **elastic part is coupled to the bar member** and generates an elasticity power in a direction of extending the first block and the second block.

As explained above, *Lee* teaches a portable wireless terminal 100 including a main body 101, a sub body 102, slider guides 127, and a spring module 150 having a front cover 153, a rear cover 151, and torsion springs 155. As stated above, in rejecting claims herein, the Office action identifies the torsion spring as the power transformation member. **The torsion springs 155 extend from and pivot between the rear cover 153 and the sliding guides 127**. The torsions springs 155, however, do not include a bar member connected between a first block and a second block (as recited in claim 18 for the power transformation member). Further, **an elastic part is not disclosed in Lee as being coupled to the torsion springs 155**, as generally required by claim 18. Indeed, the torsion springs 155 cannot be coupled to an elastic part when the torsion springs 155 are being relied upon by the Office action as the elastic part. Thus, *Lee* fails to anticipate claim 18.

Also, in rejecting claim 18 (and claims 19-21 depending therefrom), the Office action generally refers to *Lee* Fig. 1 and an entire column of the detailed description of *Lee*, without any specific reference to any of the parts illustrated in Fig. 1. Should the

Examiner not allow claim 18 (or dependent claims 19-21), then Applicant respectfully requests the Examiner to more particularly point out the parts of *Lee*'s portable wireless terminal 100 (*e.g.*, by reference number or more specific column and line number), upon which the Examiner relies in rejecting the particular features recited in claims 18-21 (*e.g.*, the first block, the second block, the bar member, the elastic part, etc.) in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claims 18-21.

For at least the foregoing reasons, claim 18 is submitted as patentable over *Lee et al.* Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim. Pending dependent claims 19-22 depend from claim 18 and, accordingly, are submitted as patentable for at least the same reasons as set forth above in connection with claim 18. In addition, dependent claims 19-22 are believed to be further patentably distinguishable because the cited references do not disclose or make obvious the additional features required by them (in combination with the other features recited in independent claim 18 from which they depend).

D. Independent Claim 33

As amended hereby, Independent claim 33 recites a portable terminal having a sliding opening and closing device including, among other things, a main body **defining a space**, a sub body coupled to said main body such that the sub body is slidable relative to the main body between at least a first position in which the sub body is at least partially inserted into the space defined by the main body and a second position in which the sub body is at least partially protruding out from space defined by the main body; a stoppering part for fixing said sub body relative to the main body in at least one of the first and second positions; and an elastic part which supplies an elasticity power in a direction where said sub body is slidably inserted into or slidably removed from the space defined by the main body.

As explained above, *Lee* teaches a portable wireless terminal 100 including a main body 101 and a sub body 102 which **slides along one side of the main body 101**. Compare Figs. 6-8. Accordingly, *Lee*'s main body 101 does not define a space into

which a sub body may be at least partially inserted or removed by sliding the sub body relative to the main body. Thus, *Lee* fails to anticipate claim 33.

Also, in rejecting claim 33, the Office action generally refers to *Lee* Fig. 1 and an without any specific reference to any of the parts illustrated in Fig. 1. Should the Examiner not allow claim 33 (or dependent claims 34-39), then Applicant respectfully requests the Examiner to more particularly point out the parts of *Lee*'s portable wireless terminal 100 (e.g., by providing the reference number in Fig. 1), upon which the Examiner relies in rejecting the particular features recited in claim 33 (e.g., the space defined by the main body, the stoppering part, the elastic part, etc.) in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claim 33.

For at least the foregoing reasons, claim 33 is submitted as patentable over *Lee et al.* Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim. Pending dependent claims 34-39 depend from claim 33 and, accordingly, are submitted as patentable for at least the same reasons as set forth above in connection with claim 33. In addition, dependent claims 34-39 are believed to be further patentably distinguishable because the cited references do not disclose or make obvious the additional features required by them (in combination with the other features recited in independent claim 33 from which they depend).

III. REJECTION UNDER 35 U.S.C. § 103

Claims 40-53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lee et al.* (U.S. Pat. No. 6,822,871) in view of *Nagamine* (U.S. Pub. No. 2003/0203747). This rejection is respectfully traversed for at least the following reasons.

A. *Independent Claim 40*

As amended herein, independent claim 40 recites (in part) a portable terminal including, among other things, a main body, a main plate which is coupled to the main body, a slide plate, a rotating plate which is coupled to be rotatable to the slide plate, a sub body which is fixed to the slide plate, and a display device which is fixed to the rotating plate and rotatable relative to the sub body. One of the slide plate and the

rotating plate defines **a trajectory groove**, and the other of the slide plate and the rotating plate includes **a rotation limiting boss** for engaging the trajectory groove to **limit rotation of the slide plate relative to the rotating plate**.

In contrast, as recognized in the Office action (at page 14) Patent Office, *Lee* does not teach a rotating plate or a display device which is fixed to the rotating plate. Accordingly, *Lee* also fails to disclose one of a slide plate and a rotating plate defining **a trajectory groove** and the other of the slide plate and the rotating plate including **a rotation limiting boss**. Recognizing this shortcoming of *Lee*, the Office action relies on *Nagamine* for disclosing a mobile terminal with a rotating plate and a display device. As shown in Figs. 4B-C, the rotating and sliding mechanism includes **a rotation shaft 44** passing through a circular hole 32b-1 in the display portion 32, an oval hole 34b-1 in the supporting portion unit 34, and a circular hole 42-1 in the slide plate 42. (*Nagamine*, paragraphs [0050] and [0051]). *Nagamine*, however, fails to remedy the shortcomings of *Lee*. Specifically, *Nagamine* does not disclose, teach, or suggest one of a slide plate and a rotating plate defining **a trajectory groove** and the other of the slide plate and the rotating plate including **a rotation limiting boss** for engaging the trajectory groove to **limit rotation of the slide plate relative to the rotating plate**. Thus, even assuming, *arguendo*, it would have been proper to combine *Lee* and *Nagamine* in the manner suggested, the suggested combination still lacks features recited in claim 40. Accordingly, *Lee* in view of *Nagamine* fails to render obvious independent claim 40.

For at least the foregoing reasons, independent claim 40 is submitted as patentable over *Lee* view of *Nagamine*. Applicant respectfully requests reconsideration and withdrawal of the rejection of this claim. Pending dependent claims 41-51 and 54 depend from claim 40 and, accordingly, are submitted as patentable for at least the same reasons as set forth above in connection with claim 40. In addition, dependent claims 41-51 and 54 are believed to be further patentably distinguishable because the cited references do not disclose or make obvious the additional features required by them (in combination with the other features recited in independent claim 40 from which they depend).

In addition, Applicant notes that many of claims 41-51 were rejected with only a general recitation to *Lee* Fig. 1 and an entire column (i.e., column 4 lines 1-64) of the

detailed description of *Lee*, without any specific reference to any of the parts illustrated in Fig. 1. Should the Examiner not allow independent claim 40 (and dependent claims 41-51 therefrom), then Applicant respectfully requests the Examiner to more particularly point out the parts of *Lee's* portable wireless terminal 100 (*e.g.*, by reference number or more specific column and line number), upon which the Examiner relies in rejecting the particular features recited in claims 41-51 in a subsequent Non-Final Office action in order to provide a full and fair opportunity to clearly and completely explain the novelty and/or non-obviousness of claims 41-51.

IV. Conclusion

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7502.

Applicant believes the correct fees are included with this filing. If, however, Applicant owes any fee(s), the Commissioner is hereby authorized to charge such fee(s) to Deposit Account No. 08-0750. In addition, if there is ever any fee deficiency or overpayment of fees in connection with this patent application, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 08-0750.

Respectfully submitted,

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